

Chief Outlaw:

I represent the Portland Police Commanding Officers Association. Please accept this email as a Step 1 Grievance on behalf of the PPCOA. As a courtesy, I am copying Senior Deputy City Attorney Mark Amberg and BHR Director Serilda Summers-McGee on this email.

On February 14 and 15, Mayor Wheeler and Commissioners Hardesty and Eudaly issued press statements critical of Lieutenant Jeff Niiya's communications with protest leaders this past fall, specifically Proud Boys' leader Joey Gibson. The criticisms implied that Lieutenant Niiya violated bureau policy by his communications, before there had been any request for an investigation, or any inquiry into Lieutenant Niiya's attempts to establish similar lines of communication with Antifa protest leaders. We are confident that any impartial investigation will show that Lieutenant Niiya followed prudent crowd control practices in attempting to establish cordial relationships with leadership on both sides in order to minimize the likelihood of violent confrontations.

Article 30 of the PPCOA contract states in relevant part: "If the City has reason to reprimand or discipline a commanding officer, it shall be done in a manner that is least likely to embarrass the commanding officer before other employees or the public."

Obviously, issuing press releases before, during, or after an investigation is most likely to embarrass the commanding officer who is subject to the investigation. It is least justified before the investigation has even commenced. Either the City has reason to discipline Lieutenant Niiya or it doesn't. If it does, then this is a patent violation of Article 30. If it doesn't have any reason to discipline, then the press release is a matter of gratuitous political grandstanding at the expense of harassing and demeaning a PPCOA member trying to do his job. Which is it?

We look forward to a thorough investigation, not only of any alleged misconduct by Lieutenant Niiya, but of the Article 30 violations as well. We request a public retraction of the public criticism of Lieutenant Niiya and expect the City to take positive measures to rectify any effect these public comments may have on a full, fair, and impartial investigation of these events.

Your prompt attention to this matter is greatly appreciated.

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